

98-0-2197

Municipal Clerk
Atlanta, Georgia

AN ORDINANCE *and local Administration*
BY: Public Safety Committee

AN ORDINANCE TO AMEND CHAPTER 10, DIVISION 2, SO AS TO DELETE THE PARKING REQUIREMENTS FOR ESTABLISHMENTS WHICH SELL ALCOHOLIC BEVERAGES; AND FOR OTHER PURPOSES.

WHEREAS, the Mayor of the City of Atlanta, Georgia has determined that as a part of the rapid commercial growth and development occurring within the City of Atlanta, a substantial need exists to study the need for additional parking facilities for commercial establishments and balance that need against the general welfare, health and safety of the citizens of the City of Atlanta; and

WHEREAS, in October 1997, the Mayor created the Mayor's Neighborhood Parking Task Force, representing a group of individual business and neighborhood leaders appointed to study the issue of parking within the City of Atlanta and to recommend changes to the existing regulations governing parking in the City of Atlanta Code of Ordinances; and

WHEREAS, after meeting for several months regarding the parking issue, the Mayor's Neighborhood Parking Task Force recommended several changes to the zoning regulations of the City of Atlanta in an attempt to balance the inconvenience experienced in many neighborhoods in the City of Atlanta by the increased parking demands of businesses against the greater need for parking which exists for establishments which sell alcohol; and,

WHEREAS, simultaneous to the introduction of this legislation, legislation is being introduced to establish a definition for accessory outdoor dining area and parking requirements for accessory outdoor dining area; and,

WHEREAS, City Council of the City of Atlanta finds that it is in the best interest of the citizens of the City of Atlanta to adopt the recommendations of the Mayor's Neighborhood Parking Task Force as delineated in the amendment to Chapter 10, Division 2, Sections 10-1 and 10-57 contained herein.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS:

SECTION 1. That the Code of Ordinances of the City of Atlanta, as amended, be further amended so as to delete the following language in Chapter 10, Division 2, Section 10-1:

Adequate parking means one parking space for each 50 square feet of customer service area within the premises of the applicant.

SECTION 2. That the Code of Ordinances of the City of Atlanta, as amended, be further amended so as to delete subpart (3) of Section 10-57 of Chapter 10, Division 2, and add the following language, in lieu thereof :

- (3) The applicant does not furnish evidence of adequate parking facilities available to the applicant's patrons. Adequate parking facilities shall mean satisfaction with the applicable parking provision under Chapter 16 of the Zoning Ordinance.

SECTION 3. That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

MAYOR'S NEIGHBORHOOD PARKING TASK FORCE

Howard J. Spiller, Chairman

Susan Abramson

Karl Barnes

Warren Bruno

Susana Chavez

Sharon Collins

Dale Evans

Brooks Garcia

Les Mulder

Amy Waterman

May 27, 1998

Mayor Bill Campbell
Atlanta City Hall
55 Trinity Avenue, NW
Atlanta, GA 30335

Dear Mayor Campbell:

Over the past six months your Task Force has met to study and discuss the parking needs of restaurants and bars, particularly those located in neighborhood commercial centers, and the problems borne of their success that the affected neighborhood(s) have been dealing with over the past several years. Additionally, the Task Force discussed the need for a new approach to parking in the downtown area, especially after business hours. This is an issue that requires more study and we ask that the issue be addressed.

After much discussion and debate we make the following recommendations:

1. Parking requirements for obtaining a license to sell alcoholic beverages be based on the same parking requirements as the subject property is zoned. Parking would then be required to be on-site rather than counting "any parking available to patrons" which included on-street parking spaces. Should an applicant not meet the requirements for parking, as based on the zoning classification, he/she could file for a special exception to reduce the amount of required on-site parking. This change would also remove the responsibility for determining whether or not a particular applicant meets the parking requirement from the License and Permit Division of the Atlanta Police Department and would be determined by the Bureau of Buildings Zoning Enforcement Division. Draft Ordinance "A" attached
2. Establish a definition for *accessory outdoor dining area*. Establishing this definition would then enable the City to adopt parking requirements for outdoor dining areas such as decks and sidewalk cafes. Draft Ordinance "B" attached
3. Adopt parking requirements for outdoor dining areas which would allow a restaurant or bar to have 25% of their total enclosed building area as *accessory dining area* with no required parking but, any additional *accessory dining area* over the 25% would require parking based on the ratio as detailed in the attached table. Table "C" attached

We urge you to accept these recommendations and begin the review process through the Neighborhood Planning Units and various business associations throughout the City.

Thank you for the opportunity to have served on this important Task Force.

Best regards,

Howard J. Spiller
Chairman

TABLE "C"

Zoning Districts were restaurants and eating/drinking establishments are permitted and their respective off-street parking requirements are listed below.

Zoning District	type of use	parking requirement	recommendation for <i>accessory outdoor dining areas</i>
R-G Residential 16-08.010(7)	as accessory use	1 space per 300 s.f. of floor area devoted to such space	limited to 25% of total gross floor area of the building or business w/no parking requirement; over 25% must provide 1 space per 600 s.f. of the total accessory outdoor dining area (aoda) including the 25% non-exempt floor area
R-LC 16-09.011(11) C-1 16-11.010(21) C-2 16-12.009(19) C-3 16-13.009(18)	principal use	1 space per 100 s.f. of floor area, including areas within existing building footprint where walls have been removed and a permanent roof remains.	limited to 25% of total gross floor area of the building or business w/no parking requirement; over 25% must provide 1 space per 200 s.f. of the total accessory outdoor dining area (aoda) including the 25% non-exempt floor area
C-4 16-14.009(a) add language to (a)	principal use	1 space per 600 s.f. of floor area shall be provided on site; may be provided off site within 600 feet of principal use by special administrative permit	limited to 25% of total gross floor area of the building or business w/no parking requirement; over 25% must provide 1 space per 1200 s.f. of the total accessory outdoor dining area (aoda) including the 25% non-exempt floor area
C-5	principal use	None	None
I-1 16-16.009(18) I-2 16-17.009(16)	principal use	1 space per 100 s.f. of floor area, including areas within existing building footprint where walls have been removed and a permanent roof remains.	limited to 25% of total gross floor area of the building or business w/no parking requirement; over 25% must provide 1 space per 200 s.f. of the total accessory outdoor dining area (aoda) including the 25% non-exempt floor area
SPI-1 Central Core District SPI-2 North Ave. District SPI-3 Midtown District SPI-4 Arts Center District	principal use	None	None
SPI-9 Buckhead Commercial Core District 16-18I.003(2) add language to (2)		Subarea "B" 1 space per 300 s.f. of floor area	limited to 25% of total gross floor area of the building or business w/no parking requirement; over 25% must provide 1 space per 600 s.f. of the total accessory outdoor dining area (aoda) including the 25% non-exempt floor area
SPI-11 Ashby Station District 16-18K.004(1)k. 6 (2)k. 7	principal use	(a) Ashby Station subarea: 1 space per 200 s.f. of floor area (b) ML Jr./Ashby Commercial subarea: 1 space per 150 s.f. of floor area	limited to 25% of total gross floor area of the building or business w/no parking requirement; over 25% must provide (a) 1 space per 400 s.f. of the total accessory outdoor dining area (aoda) including the 25% non-exempt floor area and (b) 1 space per 300 s.f. of the total accessory outdoor dining area (aoda) including the 25% non-exempt floor area
PD-MU PD-OC	principal use	1 space per 400 s.f. of floor area, including areas within existing building footprint where walls have been removed and a permanent roof remains.	limited to 25% of total gross floor area of the building or business w/no parking requirement; over 25% must provide 1 space per 800 s.f. of the total accessory outdoor dining area (aoda) including the 25% non-exempt floor area

TRANSMITTAL FORM FOR LEGISLATION

To Mayor's Office: Greg Pridgeon
(for review & distribution to Executive Management)

Commissioner Signature: [Signature] Director Signature: Robert Gray
Bureau of Planning

From: Originating Dept: Department of Planning, Contact (name): Robert Gray
Development and Neighborhood Conservation

Committee(s) of Purview: Public Safety Committee Deadline: 11/29/98

Committee Meeting Date(s): 12/1/98 City Council Meeting Date: 12/7 1st & start

CAPTION:

AN ORDINANCE TO AMEND CHAPTER 10, DIVISION 2, SO AS TO DELETE THE PARKING REQUIREMENTS FOR ESTABLISHMENTS WHICH SELL ALCOHOLIC BEVERAGES: AND FOR OTHER PURPOSES

BACKGROUND/PURPOSE/DISCUSSION:

At present there are two standards for parking which an applicant for an alcohol license must meet. The attached legislation removes the responsibility for determining if an applicant meets the parking requirements from APD and places that responsibility on the Bureau of Buildings/Zoning Enforcement Division.

FINANCIAL IMPACT (if any): NONE

OTHER DEPARTMENT(S) IMPACTED: _____

Coordinated Review With: _____

Mayor's Staff Only

Received by Mayor's Office: [Signature]
(date)

Reviewed: [Signature]
(initials) (date)

Submitted to Council: _____
(date)

Action by Committee: Approved Adversed Held Amended
Substitute Referred Other